

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CASHMAN DREDGING AND MARINE)
CONTRACTING, CO., LLC,)
<i>Plaintiff,</i>)
)
vs.) C.A. No. 1:18-cv-12499-FDS
)
)
TUG SQUARE DEAL, and its engines, tackles,)
apparel, appurtenances, etc., <i>in rem</i> ; BARGE)
AGNES, and its engines, tackles, apparel,)
appurtenances, etc., <i>in rem</i> ; and DUMP SCOW)
TMC 140, and its engines, tackles, apparel,)
appurtenances, etc., <i>in rem</i> ,)
<i>Defendants.</i>)

**MOTION TO ENTER STIPULATED ORDER REGARDING CLAIMS AGAINST DUMP
SCOW TMC 140 AND BARGE AGNES**

NOW COMES, Plaintiff, Cashman Dredging and Marine Contracting, Co., LLC (the “Plaintiff”), by its attorneys, and moves for the entry of a stipulated order concerning claims against the DUMP SCOW TMC 140 (“TMC 140”) and the BARGE AGNES (“AGNES”) and their engines, tackle, apparel, appurtenances, cargo (including an aluminum vessel and its engines, apparel, and appurtenances, etc. aboard the AGNES), etc. (collectively the “Vessels”).

In support of its Motion, Plaintiff states as follows:

1. Plaintiff commenced this in rem action against the Vessels on December 4, 2018.
2. On December 4, 2018, the Court issued warrants for the arrest of the Vessels (ECF Doc. No.’s 8 and 9).
3. On December 21, 2018, the insurer of the Vessels and their owner provided a Letter of Undertaking, agreeing that the in rem claims could proceed against the Vessels without their arrest and that the insurer and owner would file a verified statement of right or interest in

the Vessels on or before January 7, 2019.

4. Pursuant to the stipulation attached hereto as Exhibit A, Plaintiff, the insurer and the owner have agreed that the stipulation may be entered as an Order of the Court in order to facilitate and confirm the convenient and efficient process by which this matter may proceed.

WHEREFORE, Plaintiff requests this Court endorse the stipulation attached as Exhibit A as an Order of the Court.

Respectfully submitted,

**CASHMAN DREDGING AND MARINE
CONTRACTING, CO., LLC,**

By its Attorneys,

/s/ Michael J. Daly

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Dated: January 3, 2019

CERTIFICATE OF SERVICE

I, Michael J. Daly, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF) and that, on the day of filing, paper copies will be sent to counsel for the owner and insurer of the DUMP SCOW TMC 140 ("TMC 140") and the BARGE AGNES ("AGNES") at:

Seth Holbrook, Esq.
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/s/ Michael J. Daly

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